

is, that there is an imbalance, a serious imbalance, in judicial workloads in different areas of the state. So the commission would have that power by rule after a public hearing. Now in adjusting those workloads the commission would follow certain criteria and if you look at my amendment, Section 6 of my amendment, you can see what those criteria are and basically they are all the logical things that you would consider in balancing workloads. It would take into account for example, and I know this is a concern in western Nebraska, the travel time of judges, how much time they have to spend traveling. It would take into account all of the different factors that the judges associations themselves have taken into account in coming up with work load statistics and comparing each other and their workload statistics. So those criteria are in Section 6 of my amendment if you would like to look at those. Now the commission would have the power in addition to adjusting those election district lines as between the three major districts. It would have the power when a judicial vacancy occurs, and that can occur by resignation or it can occur by death or it can occur by disqualification from office or being voted out of office, whenever a vacancy occurs as between the three districts the commission can declare where the vacancy exists and the vacancy will be filled in the district designated by the commission. And that particular provision is the only interaction between the three districts. Otherwise the power of the commission has to do with interaction essentially within the rural communities. The operative date of the bill is designated in the Beutler amendment, in the amendment to the committee amendments, as May 1, 1986, so that in the event there are any further adjustments that need to be made to this system there is another legislative session in front of us in order to accomplish that. So...and finally, I would point out that the amendment to the committee amendment has another distinct feature that was requested primarily by people who practice out in western Nebraska and that is the feature that would allow, with consent of both judges, an exchange of jurisdiction between the district court and the county courts in either direction, with the consent of both judges and the attorneys.

PRESIDENT: About a minute left.

SENATOR BEUTLER: So that in the event in a particular area the district courts were badly overcrowded, the docket was